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+ OF COUNSEL

April 28, 2021

## VIA ECF

Hon. Robert W. Lehrburger Magistrate Judge Daniel Patrick Movnihan United States Courthouse 500 Pearl Street New York, NY 10007-1312

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Trustees of the Sheet Metal Worker's Local Union No. 28 Funds

and Plans et al v. JT&T Air Conditioning Corp.

Docket No.: 20-cv-10094-LTS-RWL

Dear Judge Lehrburger,

This office is counsel to Plaintiffs Trustees of the Sheet Metal Worker's Local Union No. 28 Funds and Plans et al. ("Plaintiffs") in the above-captioned matter.

Plaintiffs write to request an adjournment of the initial pretrial conference currently scheduled before Your Honor on Wednesday, May 5, 2021. Counsel for Defendant JT&T Air Conditioning Corp. ("Defendant") has consented to the request for an adjournment. This is the first request for an adjournment of the initial pretrial conference.

As Your Honor may recall, Plaintiffs brought this action in order to compel Defendant to submit to an audit for the period from January 2014 to date, and to enforce the potential findings of said audit. Defendant is currently in the process of providing records to Plaintiffs' auditors in order to complete the audit. The parties believe delaying the initial pretrial conference will enable Plaintiffs' auditors to complete the audit at which time the parties will discuss how to resolve any potential discrepancies identified on the audit.

The parties thank the Court in advance for your attention to this request.

Respectfully, COLLERAN, O'HARA & MILLS L.L.P.

By: /s/Thomas P. Keane THOMAS P. KEANE

COM# 2805-0150A

Austin Graff, Esq., via ECF

Request granted. IPTC adjourned to 11:30 a.m. on June 7, 2021. Should the parties believe an additional adjournment of time is warranted based on the audit status, they shall specify a proposed time frame.

SO ORDERED:

4/29/2021

HON. ROBERT W. LEHRBURGER UNITED STATES MAGISTRATE JUDGE